

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
THE EDWARD ANDREWS GROUP, INC.,

Plaintiff,

07 Civ. 4607 (AJP)

-against-

ADDRESSING SERVICES COMPANY, INC.,

Defendant.

-----X

Declaration of Eric B. Fisher in Support of Motion In Limine

ERIC B. FISHER, pursuant to 28 U.S.C. § 1746, hereby declares under penalty of perjury as follows:

1. I am an attorney admitted to practice in the State of New York and before this Court. I am a member of the firm Morgenstern Fisher & Blue, LLC, attorneys for defendant Addressing Services Company ("ASCO").

2. I submit this declaration in support of ASCO's motion *in limine* pursuant to Rules 402 and 403 of the Federal Rules of Evidence to preclude plaintiff The Edward Andrews Group ("EAG") from introducing any evidence at trial concerning the Add Back Evidence and the Precontractual Services Evidence, as those terms are defined in the accompanying memorandum of law.

3. Attached hereto are true and correct copies of the following documents:

Exhibit A – Investment Banking Agreement dated January 13, 2004;

Exhibit B – Excerpt from deposition of Timothy Brog; and

Exhibit C – Amended Complaint dated October 19, 2007.

4. For the reasons set forth in the accompanying memorandum of law, ASCO respectfully requests that this Court enter an order granting ASCO's motion *in limine*, and providing such other and further relief as the Court deems just and proper.

Executed this 6th day of March, 2008
New York, New York

/s/ Eric B. Fisher
Eric B. Fisher